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### CERTIFICATE OF TRANSMISSION

April 4, 2007

Atty Docket No. :	JCLA11051
Appl. No. :	10/640,349
Filing Date :	August, 12, 2003
Pages :	Cover + 25

**BY FACSIMILE ONLY**

<b>Fax No.</b> :	571-273-8300
<b>Attention</b> :	EXAMINER : PIZIALI, JEFFREY J.
<b>Group Unit</b> :	2673
<b>From</b> :	Jiawei Huang, Reg. No. 43,330
<b>MESSAGE</b> :	Enclosed herewith are: <input checked="" type="checkbox"/> Response to Notice of Non-Compliant Amendment with replacement sheets in 22 pages. <input checked="" type="checkbox"/> Copy of Notice.

Sir:

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office on April 4, 2007 at the above indicated fax number.

Sign by: MC  
Michelle Chang

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/640,349	08/12/2003	Yi-Fang Michael Shiuan	JCLAIJ051	7717
23900	7590	03/30/2007	EXAMINER	
J C PATENTS, INC. 4 VENTURE, SUITE 250 IRVINE, CA 92618			PIZIALI, JEFREY J	
			ART UNIT	PAPER NUMBER
			2629	
SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE		DELIVERY MODE	
.30 DAYS	03/30/2007		PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

APR 04 2007

2003/026

<b>Notice of Non-Compliant Amendment (37 CFR 1.121)</b>	Application No.	Applicant(s)
	10/640,349	SHUAN ET AL.
	Examiner	Art Unit
	Jeff Piziali	2629

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address -

The amendment document filed on 10 March 2006 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

## THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- 1. Amendments to the specification:
  - A. Amended paragraph(s) do not include markings.
  - B. New paragraph(s) should not be underlined.
  - C. Other \_\_\_\_\_.
- 2. Abstract:
  - A. Not presented on a separate sheet. 37 CFR 1.72.
  - B. Other \_\_\_\_\_.
- 3. Amendments to the drawings:
  - A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
  - B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
  - C. Other See Continuation Sheet.
- 4. Amendments to the claims:
  - A. A complete listing of all of the claims is not present.
  - B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
  - C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Cancelled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
  - D. The claims of this amendment paper have not been presented in ascending numerical order.
  - E. Other: \_\_\_\_\_.
- 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4):
  - \_\_\_\_\_

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

## TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the entire **corrected amendment** must be resubmitted.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a Quayle action. If any of above boxes 1. to 4. are checked, the correction required is only the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121.

Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action.

Failure to timely respond to this notice will result in:

- Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action; or
- Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Legal Instruments Examiner (LIE), if applicable

Telephone No.

Part of Paper No. 20070312

U.S. Patent and Trademark Office

JF

Continuation Sheet (PTOL-324)

Application No. 10/640,349

## Continuation of 3(c) Other:

First and foremost, the applicants are cordially thanked for the 'Amendment and Response to Office Action' filed 10 March 2006. However, at least one non-compliance error has been discovered in the aforementioned response, requiring attention before examination may continue.

37 CFR § 1.121(d) requires, "One or more application drawings shall be amended in the following manner: Any changes to an application drawing must be in compliance with § 1.84 and must be submitted on a replacement sheet of drawings which shall be an attachment to the amendment document and, in the top margin, labeled 'Replacement Sheet'. Any replacement sheet of drawings shall include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is amended. Any new sheet of drawings containing an additional figure must be labeled in the top margin as 'New Sheet'. All changes to the drawings shall be explained, in detail, in either the drawing amendment or remarks section of the amendment paper."

Page 8 of the 'Amendment and Response to Office Action' filed 10 March 2006 states, "The drawings of FIGS. 1-4 are amended and submitted hereby in a clear version."

However, no replacement sheet for Figure 4 has been submitted in the 'Amendment and Response to Office Action' filed 10 March 2006.

The applicants are respectfully requested to submit a replacement sheet for each amended drawing, as required under 37 CFR § 1.121(d).

By such reasoning, this Notice of Non-Compliance is deemed necessary and proper at this time.

Please note: The response has not been checked to the extent necessary to determine the presence of all possible non-compliance errors. If additional issues of non-compliance are discovered at the time of a subsequent response, yet another Notice of Non-Compliant Amendment will be necessitated. Applicants' cooperation is requested in correcting any other errors of which applicants may become aware.

The applicants are hereby notified that the examiner's art unit has recently changed from Art Unit 2673 to Art Unit 2629, please direct all future correspondence accordingly. Thank you.



Jeff Piziali  
12 March 2007

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